

Denise A. Dragoo (0908)
James P. Allen (11195)
Snell & Wilmer L.L.P.
Gateway Tower West
15 West South Temple Suite 1200
Salt Lake City, Utah 84101
Telephone 801 257-1900

**BEFORE THE BOARD OF OIL, GAS, AND MINING
DEPARTMENT OF NATURAL RESOURCES
STATE OF UTAH**

In the Matter of the Request for Agency Action of Alton Coal Development, LLC, for Review of Notice of Violation 10092, Coal Hollow Mine	:	STIPULATION TO AN ORDER REGARDING PRE-HEARING PROCEDURES
	:	
	:	Docket No. 2012- <u>012</u>
	:	
	:	Cause No. C/025/0005 NOV 10092
	:	

Petitioner Alton Coal Development, LLC (“**Alton**”) has requested an opportunity to brief their Request for Agency Action regarding the Request for Board Review of Notice of Violation 10092. If the petitioner does elect to brief this matter, the Utah Division of Oil, Gas and Mining (the “**Division**”) and Alton through their respective counsel hereby Stipulate to an Order by the Board of Oil, Gas & Mining (the “**Board**”) setting the following schedule for briefing:

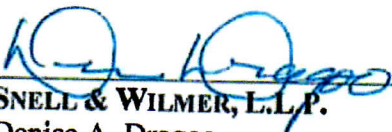
1. Alton will submit its brief, stating its reasons for opposing the fact-of-violation determination, on or before February 29, 2012.
2. The Division will submit its brief stating its reasons in support of the fact-of-violation determination on or before March 12, 2012.
3. Alton may submit a brief in reply to the Division brief on or before March 21, 2012.

4. The matter will be heard by the Board at its March 28, 2012 hearing.

The foregoing Stipulation is approved by signature of counsel as of the date shown below.


Dated: February 15, 2012

ALTON COAL DEVELOPMENT, LLC

BY: 
SNELL & WILMER, L.L.P.
Denise A. Dragoo
James P. Allen
15 West South Temple Suite 1200
Salt Lake City, Utah 84101
Telephone: (801) 257-1900

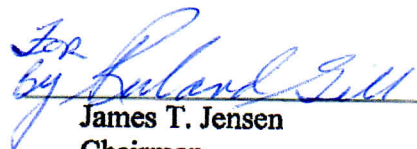
Dated: 2/15/12

UTAH DIVISION OF OIL, GAS & MINING

BY: 
Steven F. Alder
Assistant Utah Attorney General
1594 West North Temple St. #300
Salt Lake City, Utah 84118
Telephone: (801) 538-5348

SO ORDERED:

UTAH BOARD OF OIL, GAS & MINING


James T. Jensen
Chairman

Dated: 2/16/12